<u>REMARKS</u>

Rejection Summary

Claims 1-16, and 20-21 are rejected under 35 U.S.C. 102(b).

Claims 17 - 19 are rejected under 35 U.S.C. § 103(a).

Applicant respectfully traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in view of the amendments and following remarks.

Amendments to the Claims

The claims have not been amended.

Therefore no new matter has been added.

No amendment or argument was made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claim Rejections

The Office Action rejects, under 35 U.S.C. § 102, claims 1 – 16 and 20 – 21 over Nykanen et al. U.S. Patent No. 6,714,778 (Nykanen).

The Office Action also rejects, under 35 U.S.C. § 103, claims 17, 18 and 19 over Nykanen in view of Steele (U.S. Patent No. 5,169,342) (Steele).

These rejections are respectfully traversed.

Claim Rejections under 35 U.S.C. §102 and 35 U.S.C. §103

Independent claim 1, and similarly independent claim 10, 11, and 12, provides, *inter alia* the step of determining a virtual physical representation to be output in response to the execution of the data management function.

In contrast, the Nykanen, et al. patent does not describe or suggest determining a virtual physical representation to be output in response to the execution of the data management function. Nykanen discloses providing useful information to the user in response to the current context result. (abstract). Nykanen also discloses further that the useful and appropriate information is for an example, to signal an alarm and to provide suggestions for medication. This is not the same as determining a virtual physical representation to be output in response to the execution of the data management function as recited in independent claim 1. The virtual physical representation associated with the context is supported for example in the specification beginning at page 8 line 14, "a virtual physical representation of a glass pouring liquid."

Independent claim 10 discloses selecting data to be transferred, wherein said data is stored in a first device, sensing a contextual characteristic of the first device; establishing a connection between the first device and a second device, transferring the selected data to the second device; and displaying a virtual representation of the sensed contextual characteristic of the device. In contrast, the Nykanen, et al. patent does not describe or suggest selecting data to be transferred, wherein said data is stored in a first device, establishing a connection between the first device and a second device, and displaying a virtual representation of the sensed contextual characteristic of the device.

Independent claim 11 discloses activating a first operation mode of the handheld device, receiving input signals from a gesture senor corresponding to a predetermined gesture of the handheld device, executing an algorithm in said portable communication device in response to said command or said sensor measurement meeting a first criteria; and presenting a virtual representation of a physical principle on a user interface of the device. In contrast, the Nykanen, et al. patent does not describe or suggest activating a first operation mode of the handheld device, receiving input signals from a gesture senor corresponding to a predetermined gesture of the handheld device, executing an algorithm in said portable communication device in response to said command or said sensor measurement meeting a first criteria; and presenting a virtual representation of a physical principle on a user interface.

Independent claim 12 discloses an electronic device comprising, *inter alia*, a virtual physical representation control module coupled to the microprocessor and presenting a virtual physical representation to the user interface in response to a signal from the context sensor. In contrast, the Nykanen, et al. patent does not describe or suggest, virtual physical representation control module nor presenting a virtual

physical representation to the user interface in response to a signal from the context sensor.

Thus, Nykanen fails to disclose, teach or suggest all of the features of independent claim 1 and similarly independent claims, 10, 11 and 12.

In regard to claims 17 – 18 and 19, as discussed above, Nykanen does not disclose all of the features of independent claim 1 and similarly independent claim 10, 11 and 12. Claims 17 - 18 and 19 depend from independent claim 12 and are therefore also in condition for allowance.

Therefore, Applicants respectfully submit that independent claims 1, 10, 11 and 12 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Respectfully submitted,

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